

Draftsman is being filed concurrently herewith along with a duplicate replacement sheet 1 in accordance with M.P.E.P. 608.02(v).

The amendment filed on or about August 22, 1994, is objected to as introducing new matter. Applicants have canceled the amendment to page 4, line 27, and have replaced this amendment with modified language. This language merely describes that which is explicitly disclosed in Figs. 2 and 4. This was a part of the originally filed disclosure. Further, original language at page 7, lines 26-29, describes closed grooves. This disclosure was merely imported to the brief description of the drawing at page 3, lines 20-21. Thus, the language presently appearing at page 3, lines 20-21, and page 4, line 27 is fully supported in the original disclosure. Reconsideration of this objection is earnestly solicited.

The specification is also objected to for the reasons set out in the Office Action, Paper No. 28, page 3, line 11, through page 4, line 9. Applicants respectfully traverse this objection.

Applicants wish to clarify their position regarding the original disclosure. First, the brief description of the drawing on page 3, lines 13-17, indicated that Figs. 1 and 2 show a tampon, not preform, according to the invention. Applicants do not believe that they have taken any position inconsistent with this original disclosure. Thus, these figures illustrate a tampon which has a generally cylindrical absorbent portion having a generally cylindrical compressed, solid fibre core from which longitudinal ribs extend radially outward. Each of the ribs has a proximal end attached to the fibre core. Each of the ribs is compressed less than the fiber core, thereby having a coarser capillary structure than the fibre core. Each of the ribs is separated from adjacent ribs at the proximal end by an amount greater than such rib is separated from an adjacent longitudinal rib proximate

the distal end. In the case of Figs. 1 and 2, adjacent ribs happen not to touch. Thus, Fig. 2 reflects an embodiment of presently pending Claim 23.

Second, the brief description of the drawing indicated that Fig. 4 shows a cross-section of the tampon, not preform, in an enlarged representation. Fig. 4 is further described at page 7, lines 24-38. Here it is disclosed that adjacent ribs touch "at their outer ends 20" (page 7, lines 28-29). The basic structure of the tampon of Fig. 4 is otherwise substantially the same as that disclosed in Fig. 2. Thus, Fig. 4 reflects an embodiment of presently pending Claim 23.

Third, the description of page 7, lines 24-38, provide the basis for rebutting the Office's position that there is no "explicit description in the originally filed specification which shows Applicant contemplated any groove configuration except that which is open." The description reflects that there are open grooves in the preform. These grooves are at least partially closed as shown in Fig. 2, for example by concentric pressure, or fully closed as shown in Fig. 4.

Fourth, the amendments to the specification and claims have attempted to further clarify this situation. Applicants have attempted to maintain consistency in their comments and arguments while trying to clarify this for the Office. If there appears any inconsistency in Applicants arguments, it is merely the attempt to rephrase the position outlined above.

For the reasons outlined above, Applicants respectfully submit that the specification provides full support for the presently pending claims. Reconsideration of this objection is earnestly solicited.

AMENDMENT

In the Drawing:

Please replace the drawing sheets 1, depicting Figs. 1-3 and 10;

In the Claims:

Please amend the claims as follows:

Sub L4
K1 23. (Once amended) A tampon for feminine hygiene, comprising a generally cylindrical absorbent portion having a generally cylindrical compressed, solid fibre core from which longitudinal ribs extend radially outward, wherein each of the ribs has a proximal end attached to the fibre core, each of the ribs is compressed less than the fiber core, thereby having a coarser capillary structure than the fibre core, [and] each of the ribs is separated from adjacent ribs at the proximal end by [longitudinal grooves] an amount greater than such rib is separated from an adjacent longitudinal rib proximate the distal end, and the tampon is free of restrictions to substantial radial expansion.

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K2 24. (Amended) The tampon of Claim 23, wherein [tape-shaped nonwoven material is] the absorbent portion comprises a needled nonwoven material.

Please add the following new claims:

K3 27. The tampon of Claim 23 wherein the coarse capillary structure of the ribs is substantially uniform.

Sub L5
28. The tampon of Claim 23 wherein the tampon is capable of substantially uniform radial expansion along the longitudinal direction.

Please cancel Claims 1-5, 20, and 21 without prejudice.

Rejections of the Claims

Claims 1-5, 9-12, 14-21, and 23-28 stand rejected under 35 U.S.C. §112, first paragraph, as not being supported by an enabling disclosure and adequate written description of the invention. The specification is also objected to for this reason. Applicants respectfully traverse this rejection and objection.

The Office Action indicates that the language "the tampon is free of restrictions to substantial radial expansion" in Claim 23 is not supported in the originally filed specification. While Applicants believe that this language is supported implicitly in the specification and visually in the drawing, they have canceled this language in order to advance the prosecution of this claim.

The Office Action also indicates that the language "the coarse capillary structure of the ribs is substantially uniform" in Claim 27 is not supported in the originally filed specification. Applicants have also canceled this claim.

The Office Action also indicates that the language "tampon is capable of substantially uniform radial expansion along the longitudinal direction" in Claim 28 is not supported in the originally filed specification. Applicants respectfully submit that this language is supported in the specification at page 1, lines 5-7, referring to DE 1,491,161, and page 8a, lines 7-10. The reference to DE 1,491,161 indicates that the invention relates to a radially expanding tampon which expands in a cylindrical manner. Thus, a tampon of this type "is capable of substantially uniform radial expansion along the longitudinal direction". Reconsideration of this rejection is earnestly solicited.

The Office Action has not provided any basis for the rejection of Claims 9-12 and 14-19 under 35 U.S.C. §112, first paragraph, other than comments regarding line 3 of Claim 10. Applicants

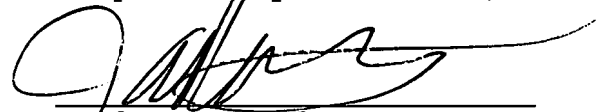
have amended this claim as suggested, and they must otherwise assume that these claims meet the requirements of this section.

Claim 28 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection.

The Office Action indicates that "the longitudinal direction" lacks antecedent basis. Applicants have amended this claim to provide such antecedent basis. Therefore, Applicants earnestly solicit the Office's reconsideration of this rejection.

Applicants thank the Examiner for the indication that the claims distinguish over the prior art. Because Applicants believe that the pending application complies with all formal requirements for patentability, Applicants look forward to an early notice of allowance.

Respectfully submitted,



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